

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NIKE, INC.,

Plaintiff,

- against -

BY KIY LLC, et al.,

Defendants.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 3/7/2023

**22 Civ. 10176 (VM)**

**ORDER**

**VICTOR MARRERO, United States District Judge.**

A Complaint in the above-captioned matter was filed on November 30, 2022. (Dkt. No. 1.) Defendant and Counter-Plaintiff By Kiy LLC ("By Kiy") filed an Answer to the Complaint and Counterclaim on February 13, 2023. (Dkt. No. 53.) Plaintiff and Counter-Defendant Nike, Inc. ("Nike") filed an Answer to the Counterclaim on March 6, 2023. (Dkt. No. 63.)

Nike and By Kiy are hereby directed to submit a joint letter, within twenty (20) days of the date of this Order, addressing the following in separate paragraphs: (1) a brief description of the case, including the factual and legal bases for the claim(s) and defense(s); (2) any contemplated motions; (3) the prospect for settlement; and (4) whether the parties consent to proceed for all purposes before the Magistrate Judge designated for this action. The parties are also directed to submit a completed Case

Management Plan that provides that discovery is to be completed within four months unless otherwise permitted by the Court. A model Case Management Plan is available on the Court's website: <https://nysd.uscourts.gov/hon-victor-marrero>.

**SO ORDERED.**

Dated: 7 March 2023  
New York, New York



Victor Marrero  
U.S.D.J.